

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

CHRISTINE A. SMITH, on behalf of)
herself and all others similarly situated,)

Plaintiff,)

v.)

MFS INVESTMENT MANAGEMENT,)
MASSACHUSETTS FINANCIAL)
SERVICES CO., AND MFS FUND)
DISTRIBUTORS, INC.)

Defendants.)

3:08-cv-01407-ARC

ELECTRONICALLY FILED

**ORDER APPOINTING PLAINTIFF AS LEAD PLAINTIFF
AND APPROVING HER SELECTION OF CO-LEAD COUNSEL**

Upon consideration of the motion of the plaintiff, Christine A. Smith, for appointment as lead plaintiff and approval of her selection of co-lead counsel, the memorandum of law in support thereof, the declaration of Lisa M. Lamb, the complaint filed in this case, and such other written or oral argument as may be presented to the Court and for good cause shown;

IT IS HEREBY ORDERED THAT:

1. Plaintiff's motion is **GRANTED**;
2. Plaintiff is appointed to serve as lead plaintiff pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934, 15 U.S.C. § 78u-4(a)(3)(B), as amended by the Private Securities Litigation Reform Act of 1995, Pub. L. 104-67, 109 Stat. 737, in the above-captioned action; and
3. Plaintiff's selection of counsel is **APPROVED**, and Barrack, Rodos & Bacine; Bonnett Fairbourn Friedman & Balint, P.C.; and Finkelstein & Krinsk, LLP, as co-lead counsel for the proposed class are **APPOINTED** as co-lead counsel for the class.

IT IS SO ORDERED.

Dated: November 13, 2008



A. Richard Caputo, U.S.D.J.